

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 135 of 2001

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the concerned : NO
Magistrate/Magistrates, Judge/Judges, Tribunal/Tribunals?

AIRPORT AUTHORITY OF INDIA

Versus

JAIKISHAN KISHANDAS

Appearance:

1. Appeal from Order No. 135 of 2001
MR SUNIT S SHAH for Appellant No.
MR BM MANGUKIYA for Respondent No. 1-3

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 19/01/2005

ORAL JUDGEMENT

1. The appellant - Airport Authority of India has preferred this appeal from order against the order dated 31/08/2000 passed by the learned City Civil Judge, City Civil Court, Ahmedabad below exh.5 in City Civil Suit No.1562 of 1999, whereby the City Civil Court had directed the defendant, appellant herein, to issue No

Objection Certificate.

2. While admitting this Appeal from Order, this Court by order dated 08/10/2001 passed in Civil Application No.3792 of 2001 had stayed the implementation, execution and operation of the impugned order dated 31/08/2000. In my opinion, the passing of the above order has virtually amounted to the allowing of the suit.

3. Therefore, without entering into the merits of the matter, the trial Court is directed to hear and dispose of City Civil Suit No.1562 of 1999 pending before the Court of the learned City Civil Judge, City Civil Court, Ahmedabad as expeditiously as possible and preferably within a period of two years from the date of receipt of writ of this order. The order dated 08/10/2001 passed by this Court shall remain in operation till the said suit is finally disposed of.

4. With the above observations and directions, the Appeal from Order stands disposed of. Office is directed to send writ forthwith.

[K. S. JHAVERI, J.]
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